IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 11892 of 2005

Between:

B.Anand Rao, S/o.Ramulu,
R/o.H.No.7-7-17/2, Bhoktapoor Locality, Adilabad Town,
Adilabad District A.P.

..... PETITIONER

AND

1 Sri Ramachandra and Gopala Krishna Mutt, Adilabad, rep. by its Executive officer, Endowment Dept., Adilabad. Andhra Pradesh.
2 The Assistant Commissioner, Endowment Department, Adilabad, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction under Article 226 of the Constitution of India, particularly one in the nature of writ of Mandamus, declaring the action of respondents in interfering with the possession and enjoyment of the petitioners' plot No.1 and 2 in Survey No.347, 352, 382, 383 and 384 and 347 respectively of Adilabad, Adilabad District, A.P bounded to the plot no.1 by East-80 feet wide road, west: open plot No.2, North: open Land of Gopalakrishna Mandir, south: Road, the plot No.2, bounded by East: plot No.1, west: Land, North: plot no.3, South: Road as unjust, illegal and arbitrary after calling for the records and to pass such other orders that this Hon'ble court may deem just to pass.

Counsel for the Petitioner: MR.NUTHALAPATI KRISHNA MURTHY

Counsel for the Respondent Nos.1 and 2: GP FOR ENDOWMENTS

The Court, at the stage of admission, made the following:

Oral order:-

The grievance in the writ petition is that the 1st respondent—Sri Ramachandra and Gopala Krishna Mutt, Adilabad, is illegally and highhandedly and without any right or title, interfering with the petitioner's ownership and possession rights in respect of plot Nos. 1 and 2 in survey Nos. 347, 352, 382, 383, 384 and 347 respectively of Adilabad, Adilabad district in respect of which property the petitioner acquired ownership rights through registered sale deeds.

The grievance of the petitioner herein is more appropriately be urged before the civil court of competent jurisdiction by way of a declaratory or injunctive relief as is considered appropriate. In the circumstances, this court is not inclined to interfere in exercise of its jurisdiction under Article 226 of the Constitution of India. The writ petition is dismissed as above. The petitioner is at liberty to approach the competent Civil Court if so advised. No costs.

GODA RAGHURAM, J

Dt. 08-06-2005

Pvks/*

To

1. The Executive officer, Sri Ramachandra and Gopala Krishna Mutt, Adilabad, Endowment Dept., Adilabad. Andhra Pradesh.
2 The Assistant Commissioner, Endowment Department, Adilabad, Adilabad District.

3. 2 CCs to the Government Pleader for Endowments, A.P. High Court Buildings, Hyderabad (OUT).

4. 2 CD copies

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